

DFG Draft Governance Proposal

The Department of Fish and Game (DFG) is proposing modifications to certain draft BDCP chapters that describe the expected governance organization and process. Governance elements can currently be found in Chapter 7 and parts of Chapters 3 and 6. Therefore, DFG's proposal includes modifications to these chapters. The following constitutes a brief overview of the major changes made to the relevant chapters.

Program Management:

Implementation of the BDCP will be managed by the Program Manager on behalf of the Implementation Board. Previous chapters have required the Program Manager to submit all significant deliverables to the Implementation Board for review and approval. The DFG proposal requires the Program Manager to ensure that all significant deliverables and proposals (including certain reports, plans, strategies, adaptive management changes unrelated to water operations and research priorities) are submitted to the Agency-Stakeholder Coordination Team for input and approval (if possible). The Program Manager will also ensure (along with the Science Manager) that all proposed adaptive management changes, along with the Annual and Seasonal Water Operations Strategies are subject to independent science review.

Agency/Stakeholder Review and Coordination Team:

The DFG draft includes the Agency-Stakeholder Review and Coordination Team. The Coordination Team is a team of regulatory and implementing agencies that also includes the Science Manager, Delta Science Program Lead Scientist and a Stakeholder Chair. The Stakeholder Chair will be a member of the Stakeholder Council and will be selected by the Stakeholder Council as its "representative" on the coordination team. The Stakeholder Chair will be responsible for providing the Stakeholder Council with all relevant documents, and providing the coordination team with the Council's feedback. The Agency Stakeholder Review and Coordination Team shall be responsible for reviewing and providing input and approval (if possible) on all significant deliverables and proposals provided by the Program Manager (will not include adaptive management changes related to water operations). The team will strive to achieve consensus and thus "approve" of all deliverables and proposals. If such consensus and approval is achieved, the Program Manager shall move forward according to the direction provided by the Coordination Team. If the Coordination Team does not achieve consensus, the disputed matter will be elevated to the Five-Agency Group. The Five-Agency Group shall have final approval authority subject to its own dispute resolution procedures.

Five-Agency Group

The DFG draft includes reference to the five agency group (USFWS, USBOR, NOAA, DFG, DWR) which shall have final approval authority for any action in which the Coordination Team does not achieve consensus. The group will establish its own dispute resolution process. The group will also be responsible for overseeing water operations.

DWR and BOR shall retain authority to determine overall water project operations and real-time operating decisions shall be made by the fish agencies. The five-agency group will also be responsible for drafting the annual water operations strategy.

Science Coordination/Oversight

The DFG draft includes more information on the adaptive management process and requirement for independent science. The Science Manager will utilize the IEP to conduct the majority of the monitoring and research. The Science Manager shall chair an “adaptive management group” that is comprised of representatives of the Five Agencies (and can include others if appropriate) that will help synthesize information and consider adaptive management changes. The Science Manager will ensure that independent scientific review is conducted for all proposed adaptive mgmt changes and for certain reports and strategies. The Five Agencies will develop the independent panel charge and will assist in selection of individuals to assist with external scientific review. The Science Manager will work with the Coordination Team and/or Five Agency Group to identify research priorities, synthesize the results of monitoring efforts and discuss adaptive management change proposals.